

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 9-11, 14, 16, 17, and 21 are currently being amended and new claim 45 is being added.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-32 and 34-45 are now pending in this application.

The Examiner issued a second Office Action on January 11, 2006, indicating claim 1 was rejected under 35 USC 102(e) as anticipated by Ma et al. (6,011,404). The Applicants have amended claim 1 to clearly define over Ma et al. by adding the feature of the “scanning step generating a signal from changes in contact potential difference” (see specification at paragraphs [0070] and [0071] explaining this change in contact potential difference) and also that the contact potential different data comes from the “signal from changes in contact potential difference.” Ma et al. does not generate a signal arising from the scanning, but rather moves the probe from point to point; and then while the probe is static, a potential difference signal is generated. Consequently, claim 1 is patentable over Ma et al.

In addition, new claim 45 has been added as a result of the Examiner's suggestion on page 2 under "Detailed Action." A reference source for data processing is provided, and the reference source enables signal generation, image production and absolute distance measurement (see end of paragraph [0009] and paragraphs [0010] to [0012] for support of these features.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a credit card being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers

submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Respectfully submitted,

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By Michael D. Rechtin

FOLEY & LARDNER LLP
Customer Number: 27433
Telephone: (312) 832-4586
Facsimile: (312) 832-4700

Michael D. Rechtin
Attorney for Applicant
Registration No. 30,128